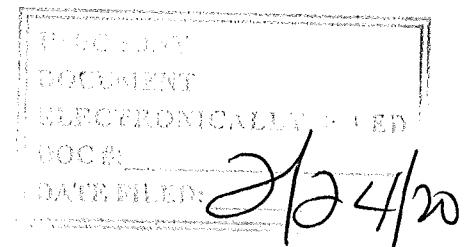


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



MICHAEL MAROM,
Plaintiff,

v.
AUDREY PIEROT and MARK GORDON,
Defendants.

ORDER

18 CV 12094 (VB)

On January 16, 2020, Magistrate Judge McCarthy issued a Report and Recommendation respecting defendants' motions to dismiss; plaintiff's motions for default judgment, summary judgment, and to file additional documents; and defendant Gordon's motion for an extension of time to respond to and enforce the state court stipulation. (Doc. #62).

On January 29, 2020, the Court extended all parties' deadlines to file objections to the Report and Recommendation to February 21, 2020. (Doc. #64).

On January 31, 2020, plaintiff, proceeding *pro se*, submitted objections to the Report and Recommendation. (Docs. ##66–67). As a result, on February 4, 2020, the Court reset defendants' deadline to respond to plaintiff's objections to the Report and Recommendation to February 18, 2020. (Doc. #68).

However, on February 18, 2020, the Court received additional objections from plaintiff (Doc. #72), defendant Gordon (Doc. #71), as well as a response to plaintiff's objections from defendant Pierot. (Doc. #69).

On February 20, 2020, defendant Gordon submitted a request to strike plaintiff's February 18 submission. (Doc. #73). The following day, the Court received a declaration from defendant Pierot instructing the Court that she would be relying on defendants' previous submissions in response to the objections made by plaintiff. (Doc. #74).¹

To the extent defendant Gordon has requested the Court strike plaintiff's February 18 objection to the Report and Recommendation (Doc. #72), that request is DENIED.

¹ Defendant Pierot's February 18 and 21, 2020 submissions were made on the Electronic Case Filing ("ECF") system by Clifford Bond, an attorney acting on Pierot's behalf who has not entered an appearance in this action. If Mr. Bond seeks to represent defendant Pierot in this action, he shall file an appearance on the docket.

As a result of Mr. Bond's actions, defendant Pierot's recent submission (Doc. #74) was made on ECF but proof of service has not been filed on the docket. Accordingly, there is no indication on the docket whether plaintiff or defendant Gordon has received this submission.

Accordingly, the Court extends plaintiff's deadline to respond to defendant Gordon's objections only to March 9, 2020. No further extensions will be granted.

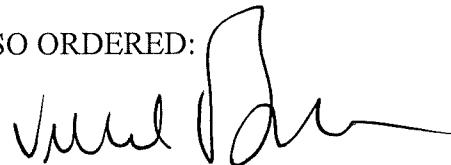
If defendants Gordon and Pierot wish to respond to plaintiff's objections (Doc. ##66, 67, 72), they may do so by March 9, 2020. No further extensions will be granted. If the Court does not receive a submission from defendants, the Court will deem defendants to be relying on their prior submissions respecting plaintiff's objections to the Report and Recommendation.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purposes of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

The Clerk is instructed to mail a copy of this Order to all parties at their addresses on the docket along with defendant Pierot's February 21, 2020 declaration. (Doc. #74).

Dated: February 24, 2020
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge